



William H. Frankel  
WFrankel@crowell.com  
(312) 321-7736 direct

Crowell & Moring LLP  
455 N. Cityfront Plaza Drive  
Suite 3600  
Chicago, IL 60611  
+1.312.321.4200 main  
+1.312.321.4299 fax

October 7, 2024

**VIA ECF**

Hon. Victoria Reznik  
U.S. Magistrate Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *The Wave Studio, LLC v. General Hotel Management Ltd. et al.*,  
Case No. 7:13-cv-09239-CS-VR and Related Case No. 7:15-CV-07950

Dear Judge Reznik:

We are counsel for British Airways PLC in the matter *The Wave Studio, LLC v. British Airways PLC, et al.*, Case no. 7:15-cv-07950-CS, which has been consolidated with the above-captioned case. We write in response to the Court's Memo Endorsement, dated September 23, 2024. *See* Dkt. No. 390. The Court directed the individual Defendants to submit a letter to the Court (individually or jointly) stating whether they intend to serve a Supplemental Memorandum of Law, which would accompany Defendant's Omnibus Motion to be served by November 15, 2024. *Id.*

British Airways responds that it does not intend to file a Rule 12 motion pursuant to Section 1 of the Court's September 5, 2024 Order or to serve a Supplemental Memorandum of Law, and instead intends to participate in the stay provided under Section 2 of the Court's September 5 Order. Further, in keeping with the September 5 Order, British Airways intends to preserve and expressly refrains from waiving its rights to assert all claims or defenses. *See* Dkt. No. 384, § 2(b) ("Defendants who elect not to file Rule 12 motions on the threshold issues . . . do not waive their right to assert any claims or defenses later in the normal course of the case, and in accordance with the Federal Rules.").

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Frankel', written over a horizontal line.

William H. Frankel

cc: Counsel of Record (via ECF)